

**Posted – June 10, 2009**

**REGULAR MEETING JUNE 15, 2009**

**TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND**

**The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, June 15, 2009 at 7:00 P.M. at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.**

**Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.**

**ACTING AS A BOARD OF LICENSE COMMISSION**

**1. (Public Hearing Advertised)**

**Application of Lacey, Inc. dba Easton's Point Pub Restaurant holder of a Retailers Class BV Alcoholic Beverage License for premises located at 116 Aquidneck Avenue, Middletown to expand the area of service of said license to include a 310.36 sq. ft. deck located on the**

**west side of the existing building.**

## **CONSENT CALENDAR**

**1. Approval of Minutes – Special Meeting, June 1, 2009.**

**2. Approval of Minutes – Regular Meeting, June 1, 2009.**

**3. Communication of Jeffrey P. Lynch, Chief of Department, Portsmouth Fire Department, re: Appreciation of assistance.**

**4. Communication of Rebecca Cunha, Middletown High School Senior, re: Appreciation of support.**

**5. Communication of Attorney Marc DeSisto, re: Kempen v. Town of Middletown, et al. C.A. No. 08-0577.**

**6. Memorandum of State of Rhode Island, Historical Preservation & Heritage Commission, with enclosures, re: National Register of Historic Places listing.**

**7. Communication of Town Administrator, with enclosures, re: Tax Collector's Report for period ending May 31, 2009.**

**8. Communication of Town Administrator, with enclosures, re: Financial Statements for period ending April 30, 2009.**

**9. Notice of Public Hearings three (3) from the Zoning Board of**

**Review, 1) Petition of Middletown Public Schools, 26 Oliphant Lane, for a Special Use Permit from Article 12, Table 12-3, to allow a 32 sq. ft. entry sign where 16 sq. ft. is allowed on real estate located at 130 Valley Road, TAP 113, Lot 114 2) Petition of Middletown Public Schools, 26 Oliphant Lane, for a Variance from Section 1208A, to allow a sign for Middletown High School to be located off premises, five feet (5') from the edge of pavement on Valley Road, on real estate located at 130 Valley Road, TAP 113, Lot 114 3) Petition of Paul and Linda Nunes, 263 Wyatt Road, for a Variance from Section 603, 701 & 803G, to construct a 27'6" x 21' two story addition with a front yard setback of 28' where 40' is required, on real estate located at 263 Wyatt Road, TAP 119, Lot 31.**

**10. Communication of Evan Smith, Ed Silveira, Rocky Kempenaar, Len Panaggio, representatives of the Newport Convention & Visitor's Bureau, re: Update on support of legislative action to expand the geographic responsibility of the NCCVB.**

**11. Resolution of the Council, re: Supporting the consolidation of the Newport County Convention and Visitor's Bureau with the East Bay Tourism Council.**

**12. Town Council Schedule:**

**a. First Public Hearing on the Budget, June 17, 2009, 6:00 PM**

**b. Second Public Hearing on the Budget, June 22, 2009, 6:00 PM**

**c. Adoption of the Budget, June 29, 2009, 6:00 PM**

**d. July meeting, July 6, 2009**

**e. August meeting, August 3, 2009**

## **TOWN COUNCIL**

**1. Resolution of the Council, re: Commendation for Kristen Lyon.**

**2. Resolution of the Council, re: Commendation for Dana Ramey.**

**3. Memorandum of Town Administrator, with enclosures, re: Contract Award for Exterior Renovations – Witherbee School, Town Hall and Senior Center.**

**4. Resolution of the Council, re: Award of contract for Exterior Renovations – Witherbee School, Town Hall and Senior Center.**

**5. Communication of Lou & Denise D'Amico d/b/a Lou's Hot Dogs, 77 Briarwood Avenue, re: Request to amend Hawker's License to include the corners of Valley Road & Green End Avenue and Special Events by invitation for the 2009-2010 licensing year.**

**6. Communication of Stas Birutis, President, Bikes & Kites, Inc., Middletown, re: Request for Cross Walk to service busy area.**

**7. Memorandum of Town Administrator, with enclosures, re: No Parking Signs Miantonomi Avenue at Fenner Avenue.**

**8. An Ordinance of the Town of Middletown (First Reading)**

**An ordinance in amendment to the Town Code of the Town of Middletown, TITLE VII, the Traffic Code. (Fenner Avenue – No Parking on Roadway)**

**9. Resolution of the Council, re: Moratorium on Wind Turbines.**

**10. Memorandum of Councillor Silveira, re: Gaudet Field agreement with Salve Regina University.**

**11. Communication of Lucy Levada, 233 Meadow Lane, re: Resignation from the Personnel Board.**

**PUBLIC FORUM SESSION**

**Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

**EXECUTIVE SESSION**

**Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2) collective bargaining (Fire, Public Works and Town Hall) and (5) lease (Mitchell's Lane – Plat 123, Lot 700), lease (East Main Road – Plat 118, Lot 31).**

.

**Wendy J. W. Marshall, CMC**  
**Clerk**

**Town**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.**